

## Article - Environment

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§2-612.

(a) The Secretary may adopt rules and regulations that:

(1) Are patterned after § 120 of the federal Clean Air Act and the federal regulations adopted under § 120 of the federal Clean Air Act; and

(2) Specify:

(i) The circumstances under which a person who violates this title is subject to a noncompliance penalty equal to the economic benefit that accrues to the person because of noncompliance;

(ii) The method of calculating the noncompliance penalty;

(iii) The manner of payment of the noncompliance penalty; and

(iv) The circumstances under which a noncompliance penalty collected under this section is subject to rebate.

(b) (1) If a person fails to pay a noncompliance penalty in a timely manner, the Secretary may require the person to pay an additional nonpayment penalty for each quarter that the noncompliance penalty remains unpaid.

(2) The nonpayment penalty shall equal 20 percent of the total of the person's noncompliance penalties and nonpayment penalties that remain unpaid at the beginning of the quarter.

(c) If a person fails to pay a noncompliance penalty or nonpayment penalty imposed under this section, the Department may bring an action to collect the penalty in the same manner as a civil penalty is collected under § 2-610 of this subtitle.

(d) An action under this section to collect a noncompliance penalty is in addition to and not instead of:

(1) An action under § 2-609 of this subtitle; or

(2) Any other relief under this subtitle.

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